CHAPTER II VIOLATIONS AGAINST MANUAL SCAVENGERS – A REVIEW

I. INTRODUCTION

Various literatures were reviewed, and in this chapter the presented with the following reflections on: caste, slavery and its association with manual scavenging; Classification of manual scavenging and its forms; Arunthathiyars in Tamil Nadu; historical perspectives on manual scavenging; legal framework and legislation implementation; schemes and interventions of the central and state governments; sanitation structures, manual scavenging population and gender; socio-economic status; working condition of the manual scavengers; health repercussions due to manual scavenging practices; discrimination faced by the children of the manual scavengers; behaviour pattern; social discrimination faced by the scavengers in the living area; incidences of manual scavenging practices and violations against manual scavengers. Then, the critical theory delineated in relevance to the research issue. Eventually, the general objective and specific objectives of the study are given.

a) Caste, Slavery and Its Association with Manual Scavenging:

Dr. Ambedkar had referred to caste as an “organized hierarchy” with “ascending scale of reverence” and “descending scale of contempt”; he later amended the first part to read an “ascending scale of hatred.” The fact that Dalits were developing hatred rather than reverence for their oppressors was a step forward in their consciousness. It is perhaps this hatred that prevails today. However, the hierarchy – the spirit of hierarchy – remains, even among Dalits themselves. (Omvedt, 2012)
b) Stigma:

Dalits are stigmatized from birth as 'spirituality defiling' and therefore potential 'polluters' of clean, high caste people. India's untouchables have lived for centuries in segregated haunts and villages. High castes have denied them the use of public wells as well as entry to schools, shops and high-caste shrines, and have forced them to perform the most despised and defiling jobs of society, 'special occupations' according to the Registrar General of India - scavenging, cleaning latrines, carrying off dead animals and exhausting unskilled physical labour (Ziauddin & Sanghmitra, 2005). The Dalit's deprivations stem from both inhuman conditions of material existence, powerless and ideological hegemony and unless strategies are worked to remove those structural conditions, the provisions of human rights will have no impact on Dalit's precarious existence (Prasad, 2005).

c) Symbol of Slavery:

Stephen Fuchs has pointed out that the endogamous sub-sections of this lowest of all low castes, are not without a certain social gradation (Srivastava, 1997). Ambedkar believed that in a social structure unclean work has always been given to slaves and the practice of manual scavenging is a symbol of that slavery (Singh, 2014). Siddharamu (2013) considered manual scavenging as form of slavery due to compulsive social sanctions, hereditary that make the particular community to continue the occupations of their ancestors, indefensible custom and caste-based division of labour.

The most inhuman work that the Safai Karamcharis (Manual Scavengers) are traditionally expected to engage in includes carrying of night soil by way of manual
scavenging: it is one of the most indecent, inhuman and degrading works that the people concerned are made to carry out. The allocation of occupations on the basis of one’s caste being a fundamental tenet of Hindu social order, the ex-touchables are forced to carry out activities that the so-called upper castes consider as most polluting. (Gayathridevi, 2011)

II CLASSIFICATION OF MANUAL SCAVENGING

India is a country where Atomic Age and near Stone Age people co-exist. On one hand India has achieved development in many areas, but on the other hand there is still the practice of open defecation and manual cleaning of human excreta from bucket privies by scavengers (Jha, 2003). Scavengers are a group who have been socially excluded in Indian society and they face double exclusion, one from the upper caste groups and the other by some of the groups within the lower caste groups (Raksha, 2014). According to “The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993,” Manual scavenging is defined as: “Manual scavenger” means a person engaged in or employed for manually carrying human excreta and the expression “manual scavenging” shall be construed accordingly (Meenakshisundaram, 2012). Singh (2014) stated that manual scavenging means the picking up of human excrement by another human with his or her hands.

In contemporary India, with its remarkable growth rate and corresponding investment and employment opportunities, some may find it surprising that heinous occupations like manual scavenging still persist (International Labour Organization, 2011). Undermined physical capacity and the feeling of vulnerability and hopelessness associated with this form of discrimination have triggered a vicious
cycle of pauperisation, low educational attainment, and social immobility for manual scavengers and their families. (International Labour Organization, 2011)

Safai Karamachari Andolan (2010), a movement for eradication of manual scavenging, considered manual scavenging as one of the lowest, polluted and most degrading occupations. The caste system dictates that those born into a particular Dalit sub-caste should engage in manual scavenging, and should remain doing so throughout their lives thereby denying them the right to lead a dignified life. Dalit communities engaged in manual scavenging are comparatively worse off than other Dalit communities (Behar, Das, & Thakur, 2007).

i) Work in Gutters:

Narula (1999) stated that manual scavenging is a caste-based occupation. In cities scavengers are actually lowered into filthy gutters in order to unclog them; they are fully immersed in human waste without any protective gear.

Manual scavenging refers to people lifting human excreta with their hands and carrying loads on their head, hips or shoulders. And this task is meant specifically for the Dalits. The continuation of this degrading practice indicates the inequality in social status and dignity that these Dalits suffer every day at the hands of the society. (Singh, Mukherjee, & Dhillon, 2012)

Hewitt (2012) accentuated that manual scavenging is one of the most vile jobs on the planet and exposed that the manual scavengers are wrangling with the unremitting stench of day old human excrement, withering in the remorseless Indian heat, flies a-frenzy over the foul-smelling fetor that rises up in to the very depths of the nostrils.
The scavenger community in India is highly heterogeneous subsumed under layers of sub caste domination within schedule caste themselves. They are known by different identities and names in different locales and states and over the years have adopted varied religions (Kumar, 2014).

ii) In Dry latrines & Open Defecation:

There are different ways and forms in which the people are forced to carry out cleaning of manual scavenging viz., Wada latrines, Dry Latrines, Dabba (Jajroo) box collecting, Wadoliya (back yard defecation), Open defecation, Kharkua (pit or well), Manhole at the sewer lines, cleaning of Septic tanks and Flush latrines etc (Meenakshisundaram, 2012, p.13). Safai Karmachari Andolan (2010) stated that the various forms of manual scavenging are: manual scavenging in individual dry latrines, manual scavenging in community dry latrines, scavenging in railways, cleaning the septic tanks, cleaning the sewage.

Manual scavenging invites health complications, caste discrimination and self-esteem and degraded human values (Mohanty, 2014). Scavenging is problematic in three major ways; first, it causes health complications; second, it contributes to discrimination against the castes who work as manual scavengers; and third, it contributes to the scavengers' own sense of shame and degradation (Baker, Cartwright, Esposito, & Kartiki, 2008).

III ARUNTHATHIYARS IN TAMILNADU

In Tamil Nadu, Paraiyars, Pallars and Arunthathiyars are the major sub-castes among Dalits. Paraiyars are advanced in education compared with other sub-castes, Pallars have a little land in some places, and Arunthathiyars are engaged in leather
working and scavenging (Chandran, 2012). Arunthathiyars are considered to be the most backward and wretched of the Dalits live in appalling repressive socio-economic conditions in Tamil Nadu. The population of Arunthathiyars is more than 30 lakhs. They are engaged as cobblers, gathering human excreta, removing obstructions in the underground drainage, removing carcass and dead human bodies, working in cremation grounds, engaging as agricultural labourers and other menial jobs (Sampath, 2008).

a) Sub Castes:

Arunthathiyars, along with Chakkiliyars and a few other sub-castes (Madharis, Adhi-Andhra, Pagadai, Madiga, Thotti), belong to the lowest strata of the caste-based social hierarchy and are the worst sufferers of untouchability. Arunthathiyars and Chakkiliyars have been included in the government official list of scheduled castes, who are entitled to 18 per cent reservation in education and employment and reservation in political positions. Together, the two communities account for about 15.5 lakh (13.1 per cent) of the Dalit population (1.18 crore) in Tamil Nadu. Dalits account for 19 per cent of the State’s total population (6.2 crore), according to Census 2001. (Viswanathan, 2010)

Among Dalits, the literacy rate of Arunthathiyars is 53.7 per cent and that of Chakkiliyars is 50.9 per cent. The corresponding figures for others are Paraiyars 65.9, Adi Dravidars 65.3 and Pallars 65. The overall Dalit literacy rate is 63.2 per cent against the State’s 73.5 per cent. The dropout rates among Arunthathiyar and Chakkiliyar children after the primary level are much higher than in Adi Dravidar, Pallar and Paraiyar communities. (Viswanathan, 2010)
IV HISTORICAL PERSPECTIVES MANUAL SCAVENGING

Scavenging is as old as the growth of urban civilization and was known in ancient India since the times of Indus Valley Civilization. During this period there is evidence of elaborately planned town and urban planning. (Gulalia, 2003)

There existed a developed sewerage disposal and drainage system, village water was discharged through well-covered street drains made out of kin burnt bricks at intervals. These were provided with manholes for clearance. Evidence suggests cleaning of these be done by particular categories of persons. Macacy has called them as municipal workers. Though not much is known about their economic background or the exact nature of their employment, they can be equated with, what we call Safai Karamcharis Scavengers today. (Gulalia, 2003)

i) Buddha Period:

In Naradiya Samhita one gets the first reference about a category of persons who deals with disposal of human excreta. In fact scavenging was one of the 15 duties of slaves enumerated in the above names like Chandals and Paulkasa, who were the slaves involved in night soil disposal. These two names were also used for the scavengers during Buddhist period. These particular names are perhaps the first reference to castes and their association with scavenging. (Gulalia, 2003)

ii) Mauryan Period:

In the Mauryan period, there are direct evidence to scavengers and sweepers, connected with cleaning the city and disposing off night soil. During this period, the city major or the Nagrak, as the head of civic affairs, was considered responsible for
the cleanliness of the city. The scavengers and sweepers cleaned the city and the specified places for defecation, Chanakya, writing about civic administration of Mauryans had suggested that one who defecated in the open except for the sick and disabled must be fined. (Pathak, 1991)

iii) Gupta Period:

The Gupta period bears evidence not only to the condition of scavengers. But also to their places of residence. The system of scavengers further got patronized during the Muslim rule. More and more scavengers were pressed into scavenging; often those made captives were forced to clean the latrine. Later this group was named Mehtars by Emperor Akbar and till today this name is used to denote scavengers in some parts of the community. (Gulalia, 2003)

The tradition got a boost with rapid urbanization in the colonial period. This period did not see much change in the pattern of scavenging. However, the technology of septic tank was introduced during the period, but it remained confined to few urban elite's. (Gulalia, 2003)

iv) Post - independence Period:

The post -independence period rapid urbanization has forced growth of two technologies of human waste-septic tanks and sewerage system. However, the growth of these technologies was limited in comparison to rate of urbanization, migration, the growth of urban slums and general poverty have been caused in the perpetuation and proliferation of dry latrines. (Gulalia, 2003)
v) Captives of Warfare:

The growth of dry latrines in urban and rural areas is attributed to the growth of urban slums and migration, but the other question is who are scavengers? There are various views on the subject. The dominant view however, held that scavengers are the captives by warfare with the idea of victor and vanquished. The enemy conquered and some scholars subscribed to this view that when these captives were subsequently released they were not accepted by their caste-men due to the derogatory nature of the work they had performed during captivity (Malkani Committee Report 1960, cited in Thorat, 2009)

It is also contended that Kshatriyas and Bhangis have descended from the same source and that the Bhangis could be the ex-Kshatriyas and other made captive in various wars. These historical developments associated with other social factors narrated above led to the emergence of a special class of scavengers known as Bhangis, Valmikis, Panchams and Mehtars. The polluting nature of their occupation and the infallibility of the Indian society made this class socially and occupationally immobile and it developed into a separate caste group which fell outside the fourfold division of the Hindu Society. (Gulalia, 2003)

vi) British Period:

The history of last 200 years is witness to the fact that with the expansion of cities there has been an upsurge in the manual scavenging practice. During the British rule it was given a statutory institutional form. Posts were especially created for manual scavengers in army cantonments and municipalities. But this doesn't mean that British created the system of manual scavenging. Instead of eradicating this
practice they institutionalized it and spread it to every corner of the country. (Singh, 2014)

The caste system was born of Hinduism, and manual scavenging is directly linked to this social suppression system which has been pushing Dalits into such inhuman tasks for centuries (Singh, 2014).

vii) History in Tamil Nadu:

In the history of Tamil Nadu, Arunthathiyars are descendents of "Athiyars" in Tamil Nadu. Historically Tamil Nadu was ruled by kingdoms. Apart from the large Chera, Chola and Pandiya kingdoms, there were smaller kingdoms ruled by various kings belonging to the sect of Velirs. One such sect of the Velir is known as Athiyar. They ruled over Vadugan Tamil Nadu comprising of Tagadur, which is now known as Dharmapuri. The name Athiyar has undergone transformation over the years to become Arunthathiyar. Adhiyamaan Nedumaan Anji is the greatest of the Athiyar Kings. He ruled over the Thagadur region. Even to date Arunthathiyars are predominantly found in the region surrounding Dharmapuri such as Salem, Periyar Erode, Coimbatore districts and other eastern regions of Tamil Nadu. Since Adiyamaan gave the eternal amla (Nellikani) to the great Tamil poet Avvaiyar, Adhiyamaan is revered even today as one of the seven philanthropist kings of Tamil Nadu. Another well known king of Athiyar was Maathiyar. The fact that Arunthathiyars are also known as Maathiyar corroborates the fact that Arunthathiyar are descendents of Athiyars. (Ilangovan, 2008)

There is a misconception that Arunthathiyars are migrated population in Tamil Nadu, since some of the Arunthathiyars speak Telugu and Kannada. Arunthathiyars
have always been the son of soils of Tamil Nadu. Historically Vaduganadu comprised of various parts of Tamil Nadu, Karnataka and Andhra. The Tamils living in these Andhra and Karnataka regions learnt the vernaculars. When the British Empire fell the regions were united with their parent states. For various reasons these Arunthathiyars returned back to Tamil Nadu and continue to speak the vernacular Telugu and Kannada but their mother tongue is always Tamil. (Ilangovan, 2008)

viii) **Formation of Associations (Sangam):**

In Tamil Nadu, attempts to improve the lot of Arunthathiyars and Chakkiliyars were made by community leaders such as L.C. Gurusami, who founded the Arunthathiyar Mahasabha in 1920, and H.M. Jaganathan. They started schools for Arunthathiyar children. However, these schools closed down soon for want of government aid.

The Tamil Nadu Arunthathiyar Sangam, formed in 1958, organised the people in the community to assert their rights. An organisation named Youth Guidance Service, formed in 1984 by first-generation beneficiaries of the statutory reservation system, was the first to demand separate reservation for Arunthathiyars. The Adhi Thamizhar Peravai has also been fighting for the cause of the Arunthathiyars for over a decade now. (Viswanathan, 2010)

V **LEGAL FRAMEWORK & LEGISLATION IMPLEMENTATION**

The following legislations were passed on to protect and restore the rights of the manual scavengers as well as the critics made on the Acts also presented.
a) The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013:

This Act provides for prohibition of employment as manual scavengers, rehabilitation of manual scavengers and their families and for matters connected therewith or incidental thereto (Ministry of Law and Justice, 2013).

The 2013 Act recognises the link between manual scavengers and weaker sections of the society. It therefore, views manual scavenging as being violative of their right to dignity. (Lawyers Collective, 2013)

But there is no clause defined to abolish the manual scavenging practices. There is no clause in the 2013 Act to punish the persecutors who engage manual scavengers. Moreover, there is no part to prevent manual scavengers who belong to scheduled caste communities, particularly those who are conventionally engaged in scavenging occupations. Even there is no accentuation in the Act that the manual scavengers would be treated as government workers with better pay and they would be promoted to next level in due course of period. (Raj, 2014)

b) The Employment of Manual scavengers and construction of Dry latrines (Prohibition) Act 1993:

The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 prohibits the engagement or employment of persons for manually carrying human excreta and further prohibits the construction or maintenance of dry latrines.
i) Fine:

Paul (2013) stated that the 1993 Act punishes the employment of scavengers and construction of dry latrines with an imprisonment that may extend to one year, or a fine of Rs 2,000. The irony however lies with the fact that in spite of such widespread prominent practice of manual scavenging, not a single person has been convicted or prosecuted under the 1993 Act, yet. Nobody differs from the fact that it should be abolished, be it the State, or the stakeholders, or the media, but it still does persists. Therefore, a major lacuna is implementation of the law.

ii) Offence:

The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, enacted in 1993, declared employment of manual scavengers and construction of dry latrines a punishable offence. But no one has been punished under this law (The Indian Express, 2012). It is reiterated by the Lawyers Collective (2013) that the 1993 Act has not seen a single conviction in the 19 years that it has been in force.

iii) Denial by State Govt:

Several States have refused to implement the 1993 Act, simply by denying the existence of dry latrines and manual scavenging even when evidences of such has been brought to the forefront of the administration, Unfortunately, even 10 years after a Public Interest Litigation was filed against the Indian Railways, as the biggest violator of the 1993 Act19, with 1,
72,000 open discharge toilets, the ministry, till date, continues to deny the practice of manual scavenging. (Paul, 2013)

iv) Alternative Employment:

Raj (2014) viewed that the government provides loan Rs.40000 on installment basis for alternative employment for manual scavengers as a rehabilitative measure, but this amount is not sufficient to start up a viable trade that would change the economic status of the scavengers. The sanctioning of loan is done through three levels of government bodies, when the loan amount reaches to the hands of the scavengers; they get the dwindled amount, which in no way helps to promote the trade.

v) Railways:

However, only a handful of scavengers benefitted, and the scheme’s (1993 Act) failure is evident in that there remain more than one million manual scavengers in India. The railways, in its affidavit, admitted that there are approximately 30,000 passenger coaches fitted with open-discharge toilets. The railways is the biggest violator of the Act, yet none of the Railway Ministers has thought it necessary to allocate railway budget funds to implement the 1993 Act. (Kuksal, 2011)

In the absence of an adequate economic alternative, it is often seen that manual scavengers are not able to quit their degrading work. In Madhya Pradesh on an average, each family makes about Rs.500 per month by manual scavenging. Besides, they get old clothes and sweets during the festival season or during special occasions in the village. (Kumar, 2005)
vi) Public Interest Litigation:

Acting on a PIL filed by Narayannan of Virugambakkan, Chennai by a public-spirited citizen, the Tamil Nadu High Court has censured the state government for violation of the Eradication of Manual Scavenging & Dry Latrine (Abolition) Act 1993, and for contravening the law by employing manual scavengers in its own civic bodies. (Thekaekara, 2009)

Mr. Narayannan of Virugambakkam, Chennai, filed public interest litigation at the High Court. He pointed out that newer forms of manual scavenging such as sewer manhole and septic tank cleaning was going on and which is reserved for so-called lowest castes. (Venkatesan, 2012)

c. The Protection of Civil Rights Act 1955:

Section 7A (1) of the Protection of Civil Rights Act 1955 (amended in 1976) provides that

Whoever compels any person, on the ground of "untouchability", to do any scavenging or sweeping or to remove any carcass or to flay any animal or to remove the umbilical cord or to do any other job of a similar nature, shall be deemed to have enforced a disability arising out of "untouchability."

(Ministry of Social Justice and Empowerment, 2009)

The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 has provision for the prohibition of employment of manual scavengers as well as construction or continuance of dry latrines and for the regulation of construction and maintenance of water-seal latrines and for matters connected therewith or incidental thereto. (Government of India Press, 2013) However the content of the Act shows that emphasis has been placed more on
sanitation rather than on the human dignity of the manual scavengers. In fact, the Act ignores the issue of human dignity mentioned in its own Preamble. (Siddaramu, 2013)

d) The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989:

This Act prevents the commission of offences of atrocities against the members of the Scheduled Castes and the Scheduled Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences and for matters connected therewith or incidental thereto. (Ministry of Social Justice and Empowerment, 2009)

Legally, cleaning of dry latrines and transporting of human excreta has been banned since 1993. Under the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, the employment of scavengers or the construction of dry latrines (which are not connected to a drainage system) can result in imprisonment up to one year and or a fine of Rs 2,000. Offenders are also liable to prosecution under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Despite such laws the manual scavenging still continues and worsens the life situation of ignorant people trapped in to these occupations. (Kumar, 2005)

While a parliamentary law bans the manual scavenging and the government approves projects to wean the underprivileged section away from this dehumanising occupation, cruel caste apartheid and brutalising poverty perpetuate the practice (Kuksal, 2011)
Many laws, as well as the Constitution itself, have been introduced in India banning caste discrimination, untouchability, trafficking and their manifestations. Special legislation exists to counter manual scavenging (manual cleaning of human faeces), bonded labour and even ‘atrocities’. Special Commissions have been set up to monitor progress in eradicating caste discrimination. Affirmative action measures have been introduced and have to some extent enabled access for some Dalits in public sector employment and higher education. The problem is not the law, but its implementation. At all levels, there is a lack of political will to ensure that the laws are applied on the ground. Untouchability, bonded labour, poverty, manual scavenging, segregation, landlessness and violence are the everyday reality, whatever the laws and special measures are. Regardless of its legal status or its physical location, prostitution is extremely dangerous for women and society. 80.2% of crimes against Dalits were ‘pending trial’ by the courts of India at the end of 2005. (Saheb, Sesaiah, & Viswanath, 2013)

e) Fundamental Rights Embedded in the Constitution of India:

The fundamental rights guaranteed for the right to equality, right to freedom and right against exploitation for the Manual scavengers.

f) Equality before law:

Article 14. Equality before law (speaks about Right to Equality): The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.
g) Abolition of Untouchability:

Article 17. Abolition of Untouchability (speaks about Right to Equality):
"Untouchability" is abolished and its practice in any form is forbidden. The enforcement of any disability rising out of "Untouchability" shall be an offence punishable in accordance with law.

h) Protection of life and personal liberty:

Article 21. Protection of life and personal liberty (speaks about Right to Freedom): No person shall be deprived of his life or personal liberty except according to procedure established by law.

i) Prohibition of traffic in human beings and forced labour:

Article 23. Prohibition of traffic in human beings and forced labour (speaks about Right against exploitation): (1) Traffic in human beings and beggar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law. (2) Nothing in this article shall prevent the State from imposing compulsory service for public purposes, and in imposing such service the State shall not make any discrimination on grounds only of religion, race, caste or class or any of them.

The practice of manual scavenging violates the above articles of Fundamental Rights of the Constitution of India. (Samajik Shaikshanik Vikas Kendra, 2013)
VI SCHEMES & INTERVENTIONS OF GOVERNMENTS

The following schemes and interventions were adopted by the Central and State Governments to address the socio-economic issues of the manual scavengers.

i) Valmiki Malin Basti Awas Yojna (VAMBAY):

This scheme was launched by Government of India during 2001 with the aim to provide shelter and upgrade the existing shelter for people living below poverty line in urban slums which helps in making cities slum free. The scheme is shared on 50:50 basis with states. Preference is given to women headed households. The Government releases subsidy on a 1:1 basis with loan. (Samajik Shaikshanik Vikas Kendra, 2013)

ii) Nirmal Bharat Abhiyan (NBA):

There is increasing medical evidence that suggests that high incidence of malnutrition is the direct result of poor sanitation and hygiene. This is the larger context against which the department of rural development, drinking water and sanitation has rechristened Total Sanitation Campaign (TSC) as Nirmal Bharat Abhiyan (Clean India Initiative/NBA).

Nirmal Bharat Abhiyan (NBA) is significant for three reasons:

- One, it has a focus on gram panchayats.

- Second, financial assistance to families has been scaled up from Rs 3,500 to Rs 10,000 for setting up toilets with no standard design being prescribed.
• Third, there is no APL/BPL distinction for selecting eligible families under this scheme.

• Fourth, promotion of liquid/solid water management systems is envisaged.

(India Sanitation Portal, 2012)

iii) **Integrated Low Cost Sanitation Scheme (ILCS):**

The Centrally Sponsored Scheme of Low Cost Sanitation for Liberation of Scavengers started from 1980-81 initially through the Ministry of Home Affairs and later on through the Ministry of Welfare. From 1980-90, it came to be operated through the Ministry of Urban Development and later on through Ministry of Urban Employment and Poverty Alleviation now titled Ministry of Housing & Urban Poverty Alleviation. The main objectives of the Scheme are to convert the existing dry latrines into low cost pour flush latrines and to construct new ones where none exist. The scheme has been continued in the 12th plan period with the intention of converting the remaining latrines serviced by human identified by the Census of India 2011 in urban areas. (Integrated Low Cost Sanitation Scheme, 2012)

iv) **Pay and Use Toilet Scheme:**

Under ‘Pay and Use Toilet Scheme’, Central assistance through Housing and Urban Development Corporation (HUDCO) was available to Urban Local Bodies (ULBs) for construction of toilets for footpath and slum dwellers who were unable to construct their own toilets. The period of the project was one year and the subsidy was payable in four equal installments on submission of utilization certificates of each installment.
v) Pre-matric Scholarships for the Children of those Engaged in Unclean Occupations:

The objective of this scheme is to provide financial assistance to enable the children of scavengers of dry latrines, tanners, flayers and sweepers who have traditional links with scavenging to pursue pre-matric education. Under the scheme, the States / UTs are now provided 100% Central assistance over and above their respective committed liabilities to implement this scheme. The scheme covers over 6 lakh students every year. (National Human Rights Commission, 2011)

vi) National Safai Karamcharis Finance and Development Corporation (NSKFDC):

National Safai Karamcharis Finance and Development Corporation (NSKFDC) was incorporated on 24 January, 1997 under Section 25 of the Companies Act, 1956, as an Apex Institution for all round socio-economic upliftment of the Safai Karamcharis and their dependents throughout India and to extend concessional financial assistance to the Safai Karamcharis beneficiaries for establishment of income generating projects. NSKFDC provides loans to the Safai Karamcharis and their dependents through the State Channelising Agencies. (National Human Rights Commission, 2011)

The government set up National Safai Karamcharis Finance & Development Corporation (NSKFDC) on 24 January 1997 as a not-for-profit company. NSKFDC was fully owned by the central government and had an authorized share capital of Rs. 200 crores. The objective of NSKFDC was to promote socio-economic upliftment of scavengers and their dependents by
way of providing financial assistance at concessional rate of interest for income generating activities and loans to students for pursuing professional and technical education. The corporation was also to provide technical and professional training, quality control, technology upgradation and common facility centers for carrying out sanitation works. (Rashtriya Garima Abhiyan, 2011)

vii) National Scheme of Liberation and Rehabilitation of Scavengers (NSLRS):

The National Scheme of Liberation and Rehabilitation of Scavengers (NSLRS) was launched by the Government in March, 1992 to provide alternate employment to the scavengers and their dependents. Under NSLRS the scavengers and their dependents are trained in trades of their aptitude which can provide them alternate employment. During the course of training, the trainees get stipend up to Rs. 500/- per month and tool kit allowance up to Rs. 2,000/-. For rehabilitation, there is a prescribed financial package for different trades by which financial assistance up to Rs. 50,000/- can be provided.

Under NSLRS, the Government of India has formulated and issued guidelines to all States and their Special Central Assistance (SCAs) to form groups of 5 to 25 scavengers and start a production-cum-trading-cum service centre for large-scale conversion of dry latrines through Sanitary Marts in which the loan component would be provided by the National Safai Karamcharis Finance and Development Corporation (NSKFDC). (National Human Rights Commission, 2011)
viii) **Centrally Sponsored Scheme of Assistance to State Scheduled Castes Development Corporations (SCDCs):**

The scheme for assistance to State Scheduled Castes Development Corporations was introduced in the year 1978-79 as a Centrally Sponsored Scheme in the States/UTs having sizeable Scheduled Castes population. At present, SCDCs are functioning in 26 States and UTs. They are playing an extremely useful role in mobilisation of finances of economic development of the Scheduled Castes living below the poverty line.

They have been acting as promoters and catalysts for generating credit from financial institutions, providing missing inputs by way of margin money loans and subsidy to the target groups. SCDCs have focused their efforts for identification of eligible SC families and motivating them to undertake suitable economic development schemes, sponsoring these schemes to financial institutions for credit support, providing financial assistance in the form of margin money on low rate of interest and subsidy in order to reduce their repayment liability and providing necessary link/tie up with other poverty alleviation programmes. (National Human Rights Commission, 2011)

ix) **Internal Reservation for Arunthathiyars:**

ON November 28, 2008, Tamil Nadu Chief Minister M. Karunanidhi announced that the State Cabinet had “accepted in principle” the report of the one-man commission headed by M.S. Janardhanam, a retired judge of
the Madras High Court, recommending a separate 3 per cent reservation for Arunthathiyar, Chakkiliyar and a few other sub-sects within the existing quota (18 per cent) for the Scheduled Castes (S.Cs). The announcement was made after an all-party meeting in Chennai. (Viswanathan, 2010)

x) Namma Toilets:

In December 2011, the Government of Tamil Nadu declared that it would take steps to provide safe sanitation to all its residents by 2015. This ambitious goal led to sanitation being recognised as a priority “State” issue. In pursuit of improving sanitation services, a multidisciplinary team was formed to look into various aspects of urban sanitation. “Namma Toilets” will be provided on a need-based approach after consultation with the local stakeholders. Community-based organisations will be encouraged to create their own “Namma Toilets” through locally available materials. The success will, however, depend on the collective effort of authorities as well as communities who will have to eventually own these toilets. (Sethuraman, 2013)

xi) Various committees:

A number of committees have been constituted by the government, both at the Central and State levels. Some of these are the Scavengers Living Conditions Enquiry Committee (Barve Committee), 1949; the Scavengers Conditions Enquiry Committee’ (Malkani Committee), 1960; and the Committee on Customary Rights to Scavenging (Malkani Committee), 1966. (Thorat, 2009, p.30)
The Malkani Committee Report of 1960 recommended grants to scavengers for the purchase of equipment, as a precondition to the eradication of the scavenging. A centrally-sponsored scheme – Improvement of Working Conditions of Persons Engaged in Unclean Occupations – was initiated in this regard in the Fourth and Five-Year Plans. But the scheme could not eliminate the obnoxious practice of scavenging due to inadequate organisational and financial resources of the Panchayat Raj Institutions (PRIs), and the inability of State governments to get action programmes adopted by the local bodies. (Thorat, 2009, p.30)

Behar, Das and Thakur (2007) believed that the continued failure of the policy and the programme for liberation and rehabilitation of manual scavengers, successive governments have continued with the same policy design (in new avatars) with only minor alterations. Every new regime undertakes a review of the performance of existing policies and programmes as also examines the reasons for inefficacy of governance in reaching the excluded groups. But despite the reviews, the new regimes or new plans often repackage the same policies in a rehashed form without making fundamental shifts in the central framework and premises of the policy and programme, ensuring in some ways the doom of ‘new’ policies. There is thus an urgent need for conceptual shifts and new imagination while framing policies and programmes which would seriously challenge and attempt to overcome existing institutional, administrative and social roadblocks.
VII MANUAL SCAVENGING – POPULATION & GENDER

During 2001, 0.11 million scavengers were liberated while 3.5 million dry toilets were converted into pour-flush toilets. In 2002-03, the Union Ministry for Social Justice and Empowerment admitted the existence of 6.76 lakh people who lift human excreta for a living and the presence of 92 lakh dry toilets spread across 21 States and Union Territories. The largest number of scavengers was recorded in Uttar Pradesh, Maharashtra, Gujarat, Bihar, Madhya Pradesh, Rajasthan and West Bengal. (Varmani & Singh, 2000)

a) Open Defecation:

National sanitation coverage is only about 34% meaning that 66% of the population practises open defecation. Such unhygienic conditions lead to infections and high mortality and morbidity in the community. Low sanitation coverage could be due to lack of affordable sanitation technology and awareness or motivation. Although the sewerage system was introduced in India long ago, high operational and maintenance costs have prohibited it from being implemented in most towns and cities. Similarly, the cost of a septic tank is beyond most people, and disposal of undigested sludge from septic tanks remains a problem. In contrast, the pour-flush two-pit toilet (known as Sulabh Shauchalaya) is a low cost, socially acceptable and appropriate technology that does not require scavengers to clean the pits. Sulabh has converted and constructed over 1.2 million such toilets throughout India, making 240 towns scavenger-free. Liberated scavengers are thereby available to take up vocational training in various market-oriented trades enabling self-employment. The on-site/ decentralised systems of waste management has improved community health and hygiene, particularly in socially deprived groups, and reduced the financial
burden of local government. (Jha, 2003). The year 2015 is declared as the year free from open defecation by Government of Tamil Nadu. (Tn Govt. 2014)

b) Private Manual Scavengers:

It is likely that the private manual scavengers have not been taken into account in the official estimate. According to an estimate in the year 1989 there were 72,05 lakh dry latrines in the country and by 31 January 2000 this number increased to 96 lakh. They are still being cleaned manually by scavengers belonging to the Scheduled Castes. Under the Ministry of Urban Employment and Poverty Alleviation’s Low Cost Sanitation Project, between 1980 to 31 October 2005, 2.078 million toilets were constructed and only 45,447 manual scavengers liberated. (WaterAid India, 2006)

c) Toilets in Households:

Surveys points out that people using public roads as toilets is a common sight in several small towns and some cities of Tamil Nadu. Open air defecation is prevalent even in the corporation areas of Chennai and Madurai, making manual scavenging “indispensable”. Besides, traditional notions of ‘impurity’ and ‘pollution’ still discourage people from having indoor toilets (Dorairaj, 2006). According to Census 2001, of the 1.41 crores households in the state, more than 91.90 lakhs use pit latrines while 10.35 lakhs do not have access to sanitary latrine in their house and adopt open defecation. In terms of households having water closet facility, as many as 13 districts, including Dharmapuri, Thiruvannamalai, Villupuram, Perambalur and Virudhunagar were behind the national average of 18.02 percent and the state average of 23.22 public and private sectors should altogether account for one lakhs manual scavengers in the state. As most of the rural areas did not have water closet, the
scavengers, mostly women, had to carry head loads of human excreta. (Dorairaj, 2006)

Most manual scavengers are female, but their male relatives suffer from the same discrimination (Baker, Cartwright, Esposito, & Kartiki, 2008). With respect to the how gender aggregates behind manual scavenging, 95% of women are engaged in cleaning of dry toilets and public streets whereas men are employed in cleaning of septic tanks or engaged to enter into manholes for cleaning the sewer system. (Premchander, Prameela, & Taware, 2013)

A study conducted by Action Aid has revealed that there were more than 30,000 dry latrines in Madhya Pradesh, Uttar Pradesh, Andhra Pradesh, Bihar and Orissa in 2002, managed mostly by girls and women forced into this undignified profession because of social restrictions. (Gayathridevi, 2011)

This does not include the households where the night soil is disposed into open drain (over 12.33 lakh households) and night soil is serviced by animals (over 4.93 lakh) that are most likely to engage manual scavenging services subsequently. About 25 lakh households are still using dry (non-flush) latrines, employing manual scavengers directly or indirectly. (The Indian Express, 2012)

While the national average of households where the night soil is removed by human is only around 0.3 per cent, many states have alarmingly high figures in comparison Jammu & Kashmir (8.9 per cent), Manipur (2 per cent) and Uttar Pradesh (1 per cent). (The Indian Express, 2012)
d) Deadline for Toilet Construction:

The government had fixed March 31, 2012 as the deadline for complete eradication of manual scavenging, but comprehensive data compiled by the 2011 Census on the type of latrine facility within households reveals there were over 7.4 lakh households across the country where the night soil is removed by humans. (The Indian Express, 2012)

In India, thirteen lakh Dalits continue to engage in it to earn their daily bread and butter. And Delhi, the national capital, has 10,000 dry latrines even today. Owing to manual scavenging, many Dalit girls, aged as young as 10 years, drop out of school, which is why states such as Bihar, Rajasthan, Madhya Pradesh and Uttar Pradesh have a very high school dropout rate. It is as high as 95 percent among some age groups in Bihar and over 60 percent in other states. (Thorat, 2013)

e) Socio-Economic Status:

Agricultural Finance Corporation Ltd (2007) studied the integrated low cost sanitation scheme. Though 96.0 percent of the sample sanitation workers belonged to depressed segment among scheduled castes, there are a few scheduled tribes and persons from general caste who are engaged currently as sanitation workers. The latter of course is the extremely poor or migrant who could get no other jobs. However, non-SC sanitation workers do not remove night soil. About 26.0 percent do not have dwelt with full ownership title. About 65.0 percent of the sanitation workers are illiterate and only 30.0 percent are educated up to primary level. The low level of literacy is the reason that they are not aware of any development programmes for their well being. The average income of 80.0 percent of sanitation workers is Rs
3300/- per month. 11.0 percent of sanitation workers are still continuing with removal of night soil in Tumkur, Udgir, Lucknow, Jalpaiguri and Gorakhpur towns. Thirty percent of the sanitation workers know about the rehabilitation package. It is interesting to know that in Gorakhpur and Dasna towns where many dry latrines still exist have knowledge about the assistance. About 52.0 percent of the sanitation workers felt that their status in the society has increased as compared to earlier days.

Dak (2007) observed condition of manual scavengers in Ajmer and Udaipur districts, the former is relatively far more urbanized, having less favourable sex ratio. The sampled scavengers, concentrated more in scheduled caste Basties irrespective of their institutional affiliation and habitat, are overwhelmingly middle aged, illiterates or only literates, married and members of joint family with moderate family size, and pursue scavenging and service as main sources of family income.

f) Indebtedness :

Arunthathiyar Human Rights Forum and EveryChild identified that there was a high rate of indebtedness of all Arundhatiayar manual scavengers-ranging from below Indian rupees-10,000 to above 60,000. In the villages, large number of families had a debt of Indian rupees- 20,000; In municipalities- Indian rupees 30,000. Most loans were taken for the following three categories: medical, construction of homes and education. Irony of the situation was that none of the Arunthathiyar families covered under the study in the villages had toilets at home. Only less than half of the families had toilets in municipality or corporations. (EveryChild, 2010)
g) Educational Status:

The Indian Institute of Management, Ahmedabad (IIMA) has found that six workers could not name any literate family member, and the most educated members of 31 families had passed primary school. On the positive side, seven families listed members as having passed higher secondary and two families had college graduates. According to the study, most of these families were staying without toilets and running water facilities at their houses "made of mud, wood and bamboo". (Express News Service, 2012)

h) Women Scavengers:

Schauman (2012) investigated how the Garima Abhiyan (Campaign for dignity) rhetorically implements critical thinking and empowerment among Dalit women working with manual scavenging. Removal of human excrement is a Dalit tradition bound practices were 98% of the manual scavengers are women. Manual scavenging has its roots in the Indian caste system and is primarily a Socio-Political issue. This inhuman practice was banned in India in 1993 but is still occurring and denies a life with dignity.

Garima Abhiyan creates empowerment groups and educates Dalit women in becoming influential actors and thus a path into citizenship, which is an opportunity to take and be a part of society. As the women are strengthened through the Garima Abhiyan, several power relations between men and women are changed. These Dalit women who have never been allowed to be located in these villages or to take part in public space are suddenly given power. In the empowerment groups ideas are transformed into action and critical thinking has a chance to germinate and grow. By
raising the awareness of these women they are also given opportunities to understand how they can influence their situation and be a part of the solution.

VIII DIPLORABLE WORKING CONDITION

i) Hours of Work:

Most women sweepers are in the age group ranging between 10 to 35 years. The majority of the women sweepers' monthly income are in the range of Rs.501 to Rs.1000. They had to spend about 6-7 hours in attending to their own household chores which included washing clothes, preparing meals, fetching wood for cooking meals etc., and about 5-6 hours of work outside home. Thus altogether the total work hours for them ranged between 11-15 hours a day. It was found that only 12 per cent could leave their relatives, 49.33 per cent could send their children to school. Eighty per cent of the sweepers stated they had no status in society because of the nature of work and their belonging to scheduled caste groups. Most of the sweeper's husband were alcoholic and under the influence of liquor. Only 22.36% of the sweepers did not want their daughters to take to sweeping jobs. (Prasad, 2005)

The scavengers who work in the informal sector work in poor surrounding which provides low standards of hygiene, privacy, ventiliation and in spite of all these adverse working condition, the fear of losing job any time stretches their hours of work. The women engaged in informal sectors reveal that such workers have no fixed wages and hours of working. (Prasad, 2005)
ii) Broom & Tinplate:

The working conditions of the sanitary workers have remained virtually unchanged for over a century. Using only a stick broom and a small tin plate, the sanitary workers clear faeces from public and private latrines onto baskets or other containers, which they then carry on their heads to dumping grounds and disposal sites. A few, however, are provided with wheelbarrows or carts by the municipal authorities. Apart from the social atrocities that these workers face, they are exposed to several health problems by virtue of their occupation. These sanitary workers are made to literally go down the drains every day — without safety precautions and supervision and without any emergency medical support. (Narayannan, cited in Venkatesan, 2012)

iii) Safety Equipments:

A study by the Indian Institute of Management, Ahmedabad (IIMA) has found that the city’s sanitation workers continue to work without safety equipment, spend a quarter of their income on medical treatment and remain, except for a handful, unaware of schemes tailored for them or the fact that physically carrying human excreta or night soil and entering manholes is prohibited. The study by IIMA’s Public Systems Group interviewed 50 workers and their families — most from the Valmiki community — and found 45 of them never donned safety equipment and four did not specify whether they used them or not. Interestingly, 18 are employed as permanent workers by the Ahmedabad Municipal Corporation. (Express News Service, 2012)
iv) **Contract Workers:**

The government has abolished Safai Karamchari posts ("cleaning and sweeping") since 1996 and has replaced it with a contractual recruitment system. Scavengers are discriminated in all walks of life and excluded from social, political and religious gatherings. This discriminatory practice reaches their families as their children are overtly discriminated in schools. Workers at the municipality level do not get uniforms and safety equipment even though their work is unhealthy and extremely hazardous for sewage and septic tank workers. Again, very recently the Supreme Court ordered entities employing sewage workers to provide them with adequate safety gear. Lack of medical aid to workers is also an issue. (Premchander, Prameela, & Taware, 2013)

v) **Meagure Income:**

For the job the manual scavengers do, their incomes are pittances as those engaged by the municipal corporations in Delhi are paid anything between Rs 5,000 and Rs 6,000 a month while those hired through contractors are paid just Rs 2,600. On women's literacy in the country, the rate was just 11 percent. Most of them can't even count their money. (Thorat, 2013)

Along with the violation of human rights, scavengers are also bound to work in hazardous working conditions. There are few studies on the working conditions of scavengers but those available unravel the horrific working conditions of the scavengers. Those working in these spaces, especially women are in grave danger of contracting countless diseases on a daily basis as they come in close contact with human waste. (Kumar, 2014)
XI HEALTH REPERCUSSIONS DUE TO MANUAL SCAVENGING PRACTICES

a) Infection:

A 2002 report prepared by the International Dalit Solidarity Network - which includes the Human Rights Watch (United States), Navsarjan, (Ahmedabad, Gujarat), and the National Campaign on Dalit Human Rights says that the government estimates that there are one million Dalit manual scavengers in India. Manual scavengers are exposed to the most virulent forms of viral and bacterial infections that affect their skin, eyes, limbs, respiratory and gastrointestinal systems. Tuberculosis is rife among the community, according to the report. (Kumar, 2005)

b) Occupation related:

As per the Maharashtra study (2005), of the 2753 interviewed, about 24 percent (657) were found to be suffering from diseases of one type or the other. The common diseases that they reported to have suffered include a) Skin disorders, b) Communicable diseases, c) Respiratory disorders, d) Parasitic disorders, e) Diminishing vision, f) Diminishing hearing, g) Both diminishing vision and hearing, and h) Any other. While most of them reported to be suffering from skin disorder, respiratory diseases, communicable disorder, and diminishing vision (Beck and Darokar, cited in Ramaiah, 2007).

As per the Gujarat study 2006 (cited in Ramaiah, 2007), of the 2456 scavengers interviewed, 22.5 percent (552) agreed that they suffered from diseases of one type or the other of those mentioned above. Most of them (251) were found to be suffering from respiratory diseases such as breathlessness and consistent cough,
particularly amongst the toilet cleaners, manhole workers and septic tank cleaners (Darokar and Beck, cited in Ramaiah, 2007). However, these 552 cases alone cannot be said to be indicating the magnitude of the health problem that they were suffering from, as there might have been number of cases where the respondents would not have realized their health problem.

c) **Leading to Death**:

A study by the Indian Institute of Management, Ahmedabad (IIMA) showed that the health issues faced by the workers showed that 15 workers died in the first half of 2010, and the community remains prone to “tuberculosis, asthma, cough, backache and infections of the respiratory tract”. Forty-seven workers said they had no idea what kind of illnesses their work could lead to. (Express News Service, 2012)

d) **Exposure to harmful Gases**:

The hazards for sanitary workers include exposure to harmful gases such as methane and hydrogen sulphide leading to instant death and/or cardiovascular degeneration, musculoskeletal disorders like osteoarthritis changes and intervertebral disc herniation, infections like hepatitis, leptospirosis and helicobacter, skin problems, respiratory system problems and altered pulmonary function parameters. (Narayannan, cited in Venkatesan, 2012)

Routinely exposed to human and animal excreta, without protection of masks, gloves, shoes, uniforms etc, these scavengers are vulnerable to different kinds of health diseases. Even after the enactment of 1993 Act, the working conditions of these workers have hardly changed and they are exposed to harmful gases like methane, hydrogen sulfide, leading to infections like hepatitis, skin problems, anemia, diarrhea,
vomiting, jaundice and respiratory related problems that mostly go untreated and is left to their further stigmatization. Cases of death as well, due to carbon dioxide poisoning are not unheard of. (Paul, 2013)

e) Skin Problems:

Health is another issue of prime concern. Manual contact with excreta exposes manual scavengers to various Diseases; infection of skin, rotting of fingers & limbs, tuberculosis and nausea are common. Several complain inability to have food due to exposure to excreta (Siddaramu, 2013).

Some of these diseases are Tuberculosis, campylobacter infection, cryptosporidiosis, giardiasis, hand foot and mouth diseases, hepatitis A, meningitis (viral), rotavirus infection, salmonella infection, shigella infection, thrush, viral gastroenteritis, worms and yersiniosis. Corroborating such arguments the International Labor Organisation (ILO) points out that chronic inhalation of dust during street sweeping leads to impairment of lung functioning and may cause respiratory health symptoms. It is further noted that ‘ninety percent of all manual scavengers have not been provided proper equipment to protect them from faeces borne illness’, as pointed in a 2007 Report on Safety conducted by the Tata Institute of Social Sciences (TISS). (Kumar, 2014)
X DISCRIMINATION FACED BY CHILDREN OF MANUAL SCAVENGERS

j) Atrocities on Children:

Center for Human Rights and Social Justice (2010) reported case studies pertaining to the atrocities against children of manual scavengers in schools. Through evidenced based research, the Center claims that “Dalit children are forced to clean classrooms, offices, toilets, and urinals on a regular basis. Such children are routinely discriminated in curricular, co-curricular and cultural events by their teachers and fellow students. In certain cases children are employed in the disposal of dead animals, or must accompany their parents to work or to beg for food. These factors have either forced these children to leave school or to stay away from school education.”

ii) Discrimination:

Arunthathiya Human Rights Forum (2010) study reflected that discrimination of these children at public places particularly in schools though not obviously seen conspicuously; it is mostly expressed in a disguised manner. Children attend schools for the development of their future but are shunned because of the discriminatory practices towards them. The AHRF reported that 24% children dropped out from school out of which 14% of them are working in various places like agricultural farms, shops and domestic work and 10% of them are neither working nor continuing their skill developing activities.
iii) Dropout the School:

Arunthathiyr Human Rights Forum and EveryChild identified Arunthathiyr children without parental care in Tamil Nadu. Twenty four per cent of the children dropped out from school; 3/4th were boys and 1/4th were girls. Twenty eight children (upto 18 years of age) from 200 Arundhatiyar families were working. Seven worked in agricultural farms; 12 worked in construction sites, factories and sales jobs. (EveryChild, 2010)

XI OCCUPATION INDUCED ALCOHOLISM

Most Dalits engaged in 'special occupations' explore alternatives to cope with their working conditions. Lifestyle habits such as tobacco chewing, paan chewing and consumption of alcohol are encouraged, developed and continued. Perhaps these habits help them overcome the stench and foul smell which form an integral part of their jobs and prepare them mentally to carry the night soil on their heads and lower themselves into manholes which emanate gases that not only have bad odours but are injurious to health too. The use of alcohol in heavy doses becomes a necessary part of their working conditions and thus for livelihood. Carrying night soil and cleaning toilets/ latrines every day is not a healthy job. It carries certain infectious diseases such as tuberculosis, malaria and skin disease through exposure to filthy working conditions. (Ziyauddin & Sanghmitra, 2005)

Most women from the manual scavenging communities tend to be addicted to tobacco (Gutka) and men are given to liquor in an attempt to diminish the repulsive nature of their work and beat back their state of hopelessness. (Siddaramu, 2013)
XII SOCIAL DISCRIMINATION

In many communities, in exchange for leftover food, scavengers are also expected to remove dead animal carcasses and deliver messages of death to the relatives of the upper castes neighbours. Their refusal to do so can result in physical abuse and ostracism from the community. (Narula, 1999)

a) As Outcastes:

Scavengers were not allowed to live in the main town or village and had to dwell in huts that resembled monstrous mounds of earth outside town limits. No person of a higher caste could have any but the most distant communication with a scavenger for fear of losing his religious purity. They were required to strike a wooden clapper upon entering a town or village to warn of their “polluting” approach and had to eat the remnants of their master’s food, wear his discarded clothes, and use his broken chattels. The scavenger was denied access to temples and barred from religious ceremonies—he was not even allowed to hear or chant the sacred texts of the Hindus. (Pathak, 2009)

b) Untouchability:

The practice of untouchability is very severe in that the manual scavengers are not treated on par with others in public places like teashops, grocery shops, roads, buses and so on. Separate cups are kept for their use in hotels and tea shops and also barbers and other professionals deny service to them. (Gayathridevi, 2011)
c) Denial to Public Utility:

In Kerala, the scavenger class had to tie a broom behind them to sweep away their polluting footprints and carry a cup in front of them so they did not spit on the ground. Their names were expected to be self ridiculing such as ‘animal dung’. Often they are forbidden to use the same water sources as higher caste families or they are obliged to collect water after other castes. (Joshi, 2005)

d) Lack of Political Will:

State governments often deny the existence of manual scavengers. Activists claim that although the resources including government funds exist for rehabilitation of scavengers, the lacunae is the political will to do so. The Indian government has spent Rs 6 crores in "liberating" and "rehabilitating" the manual scavengers since the mid-1990s. According to a survey, almost 94 per cent of village latrines in Madhya Pradesh are dry. The Madhya Pradesh government announced in 2003 that it would connect all dry latrines to a drainage system. But no concrete step has been taken so far. Even government offices and buildings run dry toilets. And despite an active people's movement against the practice, municipal offices recruits only Dalits to keep these lavatories clean. (Kumar, 2005)

The government's inaction, along with the existence of dry latrines, continues to encourage manual scavenging, says D Velanganni Samuel, Safai Karamchari Andolan (SKA) State convenor. The practice continues, even as many manual scavengers have discontinued it, due to the continuing fullfledged use of community dry latrines. As per the Employment of Manual Scavengers and Construction of Dry
Latrines (Prohibition) Act 1993, employment of manual scavengers and even construction or continuance of dry latrines is an offence.

According to SKA's study taken three days ago, in the past few weeks, manual scavenging has been observed at town panchayats of Madurai, Theni, Dindigul and Devarappanpatti village panchayat. Manual scavenging is still an abhorrent reality even as the issue was rung loud in the ears of the Urban Development and Local Administration Ministry last month by a report published in The New Indian Express and repeated efforts of the SKA. The State in 2003 had denied the prevalence of manual scavenging here, says Samuel.

e) Harassment:

The permanent sanitary workers have been harassed by the sanitary officials and also have been threatened not to reveal their profession, Samuel points out. The SKA has urged the Secretary of State Water Supply department, the Municipal Administration and the State to take immediate action against such officers. The demolition of dry latrines would end the practice and conversion of these toilets into water flush ones is the solution to the issue. (Ravichandran, 2008).

Manual scavenging was banned in Karnataka in 1970 and across India in 1995. But a people's union for civil liberty report says that even today 8000 manual scavengers live by clearing human waste in Karnataka. Apart from government apathy, socially too, they are considered untouchables and have little chance of getting other jobs. (The Indian Express, 2011)

The National Commission for Safai Karamcharis, a statutory body, pointed in its reports to the use of dry latrines and continued employment of manual scavengers
by various departments of the Union of India, particularly the railways, the Department of Defence and the Ministry of Industry. While states like Haryana deny employing manual scavengers, other states like Andhra Pradesh employ them through municipalities. The practice is on in almost all states, including Bihar, Maharashtra, Jammu & Kashmir and even Delhi. The Indian railway is one of the largest employers of manual scavengers. (Meenakshisundaram, 2012, p.15)

f) Social Stigma:

Union Rural Development Minister Jairam Ramesh termed manual scavenging practices used across the country as a social stigma. "Manual scavenging that is being practiced in most of the states is a stigma on our society. We have formed laws for banning manual scavenging but in reality the method still exists. So, in order to eliminate it, we have to take more steps," he said. Ramesh also stressed on the removal of open defecation methods being practiced in rural areas with an aim to make the areas more hygienic and germ free in near future. "There are around 2.5 lakhs or 200,500 village councils present in the country, out of which we have nearly 25,000 hygienic village councils. We have to make all the village council hygienic in next ten years," he said. (The Hindu, 2012)

Tam (2012) revealed that sanitation technology threatened caste politics and enforced the caste structure in the development of Ahmedabad’s sewerage system and the caste structure. It looks at how sewers came to be understood as markers of legitimacy, sophistication, and moral citizenship through the notion of the “civic sense”, and how that notion changed over time. Focusing on the evolving role of Bhangis – Untouchable sweepers turned sewermen –, it looks at the corporeal, political, and economic impact that sewers have had upon them. While there is an
existing body of literature that deals with Bhangis and the practice of manual scavenging, little attention has been paid to the evolution of manual scavenging into equally oppressive sewer cleaning practices. By showing how a technology with humane intents was modified to support casteism.

**g) Death Toll:**

The death of 30 workers in 30 months since February 2012 in Tamil Nadu seems to suggest that nothing is able to prevent the abominable practice. Most of those who died were workers asphyxiated when they entered septic tanks and sewage systems to remove solid waste dumped into them. Continuous exposure to human waste and hazardous conditions takes a heavy toll on the health of the workers, resulting in premature deaths. Many drink heavily to remain unconscious of the surroundings they are working in. (Kolappan, 2013)

**h) Abuse & Rape:**

Within the scavenger’s community, women make up the majority of those who perform the scavenging occupation. They are also domestic sweepers in cities and due to high vulnerability; reports of them being sexually harassed by their own employers are ubiquitous. Most scavenging women are victims of daily rapes and abuse which rarely get noticed even as they earn a meager fifty to hundred rupees per month. Overall Dalit scavengers are rarely able to take up other occupations due to the stigma associated with their caste and occupational status. They are paid less than minimum wages and are often forced to borrow money from upper-caste neighbors in order to survive. This ends up upholding the status quo and maintaining the vicious circle of bondage. Followed with the lack of alternative livelihood opportunities,
scavengers are unable to break free from these age old shackles of religiously sanctioned deep seated structure of exclusion and oppression. (Kumar, 2014)

While law bans manual scavenging, two local government bodies in Virudhunagar in open violation of the existing laws force sanitary workers to clean human excreta often with bare hands. Though the Employment of Manual Scavengers and Construction of Dry Latrines Prohibition Act, 1993 and the Prohibition of Employment of Manual Scavengers and Rehabilitation Act, 2013 prohibit manual scavenging, the Dhalavaipuram and Muhavoor panchayats in Rajapalayam Taluk in Virudhunagar district have been arm-twisting their sanitary workers to clean human wastes. (Kannan, 2014)

i) Drainage – as death trap:

Two workers suffocated to death inside a drain at Upparpally in Rajendra Nagar on Saturday morning leading to tension in the area. The workers were trying to clean an 18-foot deep drain when they were trapped inside. Rajendranagar police officials said they fainted inside the drain due to lack of oxygen and died before the rescue mission started. The two labourers were employed by the owners of Imperial Residency apartments to clean the sewer as one of the lines was overflowing due to a blocked manhole. The residents said that despite complaining to the municipal authorities to clean the sewer two months ago, there was no response from the authorities. Thus, they were compelled to call private labourers and get it cleaned. (Deccan Chronicle, 2014)

In the last decade, Gujarat has seen deaths of 98 manual scavengers. This fact was brought forth by the Safai Kamdar Vikas Nigam. Of these, families of 43 victims
have not yet been paid compensation. Ahmedabad has witnessed 18 deaths because of manual scavenging - the highest in the state. For long, manual scavenging has been discouraged but deaths have taken place across municipal corporations and other civic bodies. The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 prohibits engagement of persons for manually carrying human excreta. There are around 50,000 official safai kamdars in the state who clean gutters but the state government has failed to uplift them through the Safai Kamdar Nigam. (The Times of India, 2014)

Many researches were conducted to observe the status of the manual scavengers. Only the removing of dry latrines often considered as the manual scavenging practices but the other scavenging practices such as cleaning the manholes, septic tanks, cleaning the garbage or sewage with hazardous materials, etc. are not treated as manual scavenging practices. This study attempts to expose such scavenging practices in Tirunelveli district.

XIII CRITICAL THEORY - (Stanford Encyclopedia of Philosophy, 2005)

“Critical Theory” in the narrow sense designates several generations of German philosophers and social theorists in the Western European Marxist tradition known as the Frankfurt School. According to these theorists, a “critical” theory may be distinguished from a “traditional” theory according to a specific practical purpose: a theory is critical to the extent that it seeks human emancipation, “to liberate human beings from the circumstances that enslave them” (Horkheimer 1982, 244). Because such theories aim to explain and transform all the circumstances that enslave human beings, many “critical theories” in the broader sense have been developed. They have emerged in connection with the many social movements that identify varied
dimensions of the domination of human beings in modern societies. In both the broad and the narrow senses, however, a critical theory provides the descriptive and normative bases for social inquiry aimed at decreasing domination and increasing freedom in all their forms.

Critical Theorists do not merely seek to provide the means to achieve some independent goal, but rather (as in Horkheimer’s famous definition mentioned above) seek “human emancipation” in circumstances of domination and oppression. A critical theory is adequate only if it meets three criteria: it must be explanatory, practical, and normative, all at the same time. That is, it must explain what is wrong with current social reality, identify the actors to change it, and provide both clear norms for criticism and achievable practical goals for social transformation.

In light of the practical goal of identifying and overcoming all the circumstances that limit human freedom, the explanatory goal could be furthered only through interdisciplinary research that includes psychological, cultural, and social dimensions, as well as institutional forms of domination. Given the emphasis among the first generation of Critical Theory on human beings as the self-creating producers of their own history, a unique practical aim of social inquiry suggests itself: to transform contemporary capitalism into a consensual form of social life. For Horkheimer a capitalist society could be transformed only by becoming more democratic, to make it such that “all conditions of social life that are controllable by human beings depend on real consensus” in a rational society (Horkheimer 1982, 249–250).
The critical theory emphasizes on human emancipation from domination and oppression. In the case of manual scavengers, they are in a forced state of engaging in caste-based occupation that degrades their socio-economic and health status. Thus, they need to be liberated from the manual scavenging practices and have a better employment in an alternative sector with better salary, self-esteem and dignity.

The researcher would like to find out the socio-economic status of the manual scavengers, the various forms of manual scavenging they are engaged, the working conditions of the manual scavengers, health condition, behaviour pattern, attitude of the society, forced labour practices and social discrimination in the living area.

CONCLUSION

In the Indian society, the manual scavengers are forced to engage to clean the human excreta, clean the sewages, clean the railway tracks, clean the septic tanks, etc. The communities in the lowest strata of the social order are often pushed into the manual scavenging occupation, the society treats that that lowered castes engaged in manual scavenging are born for doing such practice. The State of Tamil Nadu often claims that there is no manual scavenging practices but in reality it exists in various parts of Tamil Nadu. Therefore an attempt has been made to undertake a scientific study with the following objectives and hypothesis.
XIV GENERAL OBJECTIVE

- To study various manual scavenging practices that suppresses the life standards of the manual scavengers in Tamil Nadu.

Specific Objectives

- To observe the socioeconomic status of the manual scavengers.
- To find out the working conditions of the scavenging practices and related occupation and health hazardous.
- To discover the behaviour patterns of the manual scavengers that effected due to scavenging practices.
- To assess the status of the children of the manual scavengers.
- To find out the attitude of the society toward manual scavengers.
- To find out the level of forced labour in the living areas of the manual scavengers.
- To determine the level of social discrimination in the living areas of the manual scavengers.
- To analyse the level of awareness among the manual scavengers on entitled laws.
- To enumerate viable strategies for enabling the manual scavengers to have better life standards with economy, better health and dignity.
XV HYPOTHESIS

1. There is no mean difference between extent of working condition and personal and economic variables.

2. There is no mean difference between level of forced and menial labour practices and personal and economic variables.

3. There is no mean difference between level of discrimination in public places and personal and economic variables.

4. There is no mean difference between level of preclusion of development aspects and personal and economic variables.

5. There is no mean difference between level of awareness on entitled laws and personal and economic variables.

6. There is no mean difference between extent of working condition and occupational related variables.

7. There is no mean difference between level of discrimination in public places and occupational related variables.

8. There is no mean difference between level of prevention of dignity and self-respect and occupational related variables.

9. There is no mean difference between level of awareness on entitled laws and occupational related variables.